**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO. 3542 OF 2004**
**IN**
**SUIT NO. 3497 OF 2004**

Mrs.Swapna R. Chandane. ... Plaintiff.

V/s.

Mr.Anant Dattatraya Ghosalkar
and others. ... Defendants.

C.P.Deogirikar for the plaintiff
in support of notice of motion.

Ms.Shubhangi A. Vaidya with A.V.Vaidya
for the defendants.

**CORAM: V.C.DAGA, J.**

**DATED: 2nd February 2006.**

**P.C.:**

. Heard learned counsel for the rival parties.

2. The defendants have moved praciepe seeking permission to deposit Rs.4 lakh (on account) towards alleged share of the plaintiff in the consideration received out of sale of the property. In terms of the prayer made in the praciepe, the defendants are permitted to deposit Rs.4 lakh (on account) with this Court. This deposit shall be without prejudice to the rights of either of the parties and shall be subject to

the resuslt of the suit. It shall not create any equity in favour of either of the parties.

3. In the event of such deposit, the Prothonotary and Senior Master is directed to invest this amount with any nationalised bank, initially, for a period of 36 months and should keep the said investment renewed from time to time until further orders.

4. So far as statement of account of income and expenditure in respect of the suit property is concerned, defendants undertake to submit the same within a period of three weeks from today. The statement made in this behalf is taken on record.

5. The arrangement provided in the order dated 25th January, 2005 as modified by an order dated 10th March, 2005 to continue until disposal of the suit.

6. Notice of motion stands disposed of in terms of this order with no order as to costs.

**(V.C.DAGA, J.)**